

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEBRASKA
OMAHA DIVISION

In Re:

Robert Lee Pelshaw

Debtor,

Case No. 10-80982-TJM

Chapter 11

MOTION TO ALLOW LATE CLAIM

Pursuant to FRBP 3003 and 3008, Mutual of Omaha Bank, its assignees and/or successors, and the servicing agent Dovenmuehle Mortgage, Inc. ("Loan Servicer"), move the Court to allow its Late Proof of Claim in this case.

The Late Proof of Claim is in the amount of \$237,141.56 and will be filed subsequent to Motion to Allow being granted. The reason for the Late Proof of Claim is that **Creditor received late notice of bankruptcy filing.**

Because under 11 U.S.C. 1322(a)(2) and (5), this debt will survive the debtor's discharge, it is in debtor's best interest for the claim to be paid in full through the Chapter 11 plan.

WHEREFORE, Secured Creditor requests that the Court enter an order Allowing the Late Proof of Claim in the amount of \$237,141.56, with arrears of \$2,391.73 and ordering that the Claim be paid through the Plan.

Dated: 10/18/2010

/s/ Kristin A. Zilberstein

Kristin A. Zilberstein, Esq. SBN 200041
Attorney for SECURED CREDITOR